

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	
APPLICATION OF GAZPROM LATIN	§	
AMERICA SERVICIOS, C.A.,	§	MISC. ACTION NO. <u>4:14-mc-1186</u>
	§	
Applicant.	§	

ORDER GRANTING REQUEST FOR ASSISTANCE PURSUANT TO 28 U.S.C. § 1782

THIS CAUSE came before the Court upon the Application for Assistance to the Twelfth Court of First Instance in Civil, Commercial, Transit and Banking Matters for the Judicial District of the Metropolitan Area of Caracas, Venezuela, by Gazprom Latin America Servicios, C.A. ("*Gazprom*") pursuant to 28 U.S.C. § 1782. The Court, having reviewed the application, supporting memorandum of law, the legal authority pertaining to 28 U.S.C. § 1782, and finding that it is supported by good cause, it is hereby:

ORDERED, ADJUDGED, and DECREED that Gazprom's Application for Assistance to a Venezuelan Court is GRANTED as follows:

1. Within thirty (30) days of the date of this Order, Jean-Marc Pivert shall appear for a videotaped deposition with respect to the subject matter of the dispute identified in Exhibits A through E to the Application for Assistance filed in this matter.

2. Within thirty (30) days of the date of this Order, Jean-Marc Pivert shall produce to counsel for Gazprom all documents in his possession, custody and control that pertain or relate to the Contract attached as Exhibit C to the Application for Assistance filed in this matter, including but not limited to the Contract's formation, execution, breach, and performance, as well as approvals, inspections, modifications, certifications, disbursements, invoices, and payments pursuant to the Contract, and Mr. Pivert's use of his apparent authority to bind

Gazprom. Any documents withheld as subject to the attorney-client privilege, the work product doctrine, or other applicable privilege shall be identified in a privilege log.

3. Within thirty (30) days of the date of this Order, Lindsayca, Inc. shall produce, for a videotaped deposition, a corporate officer with knowledge of the Contract attached as Exhibit C to the Application for Assistance filed in this matter, including but not limited to the Contract's formation, execution, breach, and performance, as well as approvals, inspections, modifications, certifications, disbursements, invoices, and payments pursuant to the Contract, and Mr. Pivert's use of his apparent authority to bind Gazprom.

4. Within thirty (30) days of the date of this Order, Lindsayca, Inc. shall produce to counsel for Gazprom: (a) all documents in its possession, custody and control that pertain or relate to the Contract attached as Exhibit C to the Application for Assistance filed in this matter, including but not limited to the Contract's formation, execution, breach, and performance, as well as approvals, inspections, modifications, certifications, disbursements, invoices, and payments pursuant to the Contract; and (b) all communications pertaining to the subject invoice and the multiple phases of the construction of the Plant. Any documents withheld as subject to the attorney-client privilege, the work product doctrine, or other applicable privilege shall be identified in a privilege log.

DONE, ORDERED, and ADJUDGED this 19th day of May, 2014.


UNITED STATES DISTRICT COURT JUDGE